

Amendments to the Claims:

This listing of the claims will replace all prior versions and listings of claims in the application:

Listing of the claims:

1. (Currently amended) An acid beverage composition, comprising;
 - (A) a hydrated protein stabilizing agent comprising a high methoxyl pectin;
 - (B) at least one flavoring material comprising a fruit juice, a vegetable juice, citric acid, malic acid, tartaric acid, lactic acid, ascorbic acid, glucono delta lactone or phosphoric acid; and
 - (C) a slurry of an aqueous protein material wherein the protein is not subjected to spray drying and wherein the slurry of the aqueous protein material is prepared by a process, comprising;
 - (1) preparing an aqueous extract from a protein containing material,
 - (2) adjusting the pH of the aqueous extract to a value of from about 4 to about 5 to precipitate the protein material,
 - (3) separating the precipitated protein material and forming a suspension of the precipitated protein material in water,
 - (4) adjusting the pH of the suspension to a value of from about 4.0 to about 6.0 to form a slurry of an aqueous protein material, and optionally
 - (5) pasteurizing the slurry of the aqueous protein material;
- wherein the acid beverage composition has a pH of from 3.0 to 4.5.

2-4 Canceled

5. (Original) The composition of claim 1 wherein the protein stabilizing agent (A) is present at from 0.5-5% by weight of the total composition.

6. (Original) The composition of claim 1 wherein the pH of the protein stabilizing agent (A) is from 2.0-5.5.

7-9 Canceled

10. (Original) The composition of claim 1 wherein the protein material (C) comprises a soybean protein material, casein, whey protein, wheat gluten or zein.

11. (Original) The composition of claim 10 wherein the soybean protein material comprises a soy flour, soy concentrate or soy protein isolate.

12. (Original) The composition of claim 11 wherein the soybean protein material comprises a soy protein isolate.

13. (Original) The composition of claim 1 wherein the protein material (C) comprises a hydrolyzed protein material or a non-hydrolyzed protein material.

14. (Original) The composition of claim 13 wherein the protein material (C) comprises a hydrolyzed protein material.

15. (Original) The composition of claim 1 wherein the pH of the acid beverage composition is from 3.2-4.0.

16. (Original) The composition of claim 1 wherein the pH of the acid beverage composition is from 3.6-3.8.

17. (Withdrawn) A process for preparing an acid beverage composition, comprising;
forming a preblend (I) by mixing

(A) a hydrated protein stabilizing agent and

(B) at least one flavoring material comprising a fruit juice, a vegetable juice, citric acid, malic acid, tartaric acid, lactic acid, ascorbic acid, glucono delta lactone or phosphoric acid; and mixing preblend (I) and

(C) a slurry of an aqueous protein material wherein the slurry of the aqueous protein material is prepared by a process, comprising;

(1) preparing an aqueous extract from a protein containing material,

(2) adjusting the pH of the aqueous extract to a value of from about 4 to about 5 to precipitate the protein material,

(3) separating the precipitated protein material and forming a suspension of the precipitated protein material in water,

(4) adjusting the pH of the suspension to a value of from about 4.0 to about 6.0 to form a slurry of an aqueous protein material, and

(5) pasteurizing the slurry of the aqueous protein material;

to form a blend and

pasteurizing and homogenizing the blend;

wherein the acid beverage composition has a pH of from 3.0 to 4.5.

18. (Withdrawn) The process of claim 17 wherein the protein stabilizing agent (A) comprises a hydrocolloid.

19. (Withdrawn) The process of claim 17 wherein the hydrocolloid comprises alginate, microcrystalline cellulose, jellan gum, tara gum, carrageenan, guar gum, locust bean gum, xanthan gum, cellulose gum and pectin.

20. (Withdrawn) The process of claim 17 wherein the protein stabilizing agent (A) is a high methoxyl pectin.

21. (Withdrawn) The process of claim 17, wherein within preblend (I), the weight ratio of (A):(B) is from 65-73:27-32.
22. (Withdrawn) The process of claim 17 wherein the pH of the protein stabilizing agent (A) is from 2.0-5.5.
23. (Withdrawn) The process of claim 17, wherein the weight ratio of preblend (I):(C) is from 55-75:25-45.
24. (Withdrawn) The process of claim 17 wherein within (C) the slurry has a solids content of from 5-20% by weight.
25. (Withdrawn) The process of claim 17 wherein within (C) the slurry has a solids content of from 8-18% by weight.
26. (Withdrawn) The process of claim 17 wherein within (C) the slurry has a solids content of from 10-15% by weight.
27. (Withdrawn) The process of claim 17 wherein the protein material (C) comprises a soybean protein material, casein, whey protein, wheat gluten or zein.
28. (Withdrawn) The process of claim 27 wherein the soybean protein material comprises a soy flour, soy concentrate or soy protein isolate.
29. (Withdrawn) The process of claim 28 wherein the soybean protein material comprises a soy protein isolate.
30. (Withdrawn) The process of claim 17 wherein within (C)(5), pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

31. (Withdrawn) The process of claim 17 wherein the protein material (C) comprises a hydrolyzed protein material or a non-hydrolyzed protein material.

32. (Withdrawn) The process of claim 31 wherein the protein material (C) comprises a hydrolyzed protein material.

33. (Withdrawn) The process of claim 17 wherein the pH of the acid beverage composition is from 3.2-4.0.

34. (Withdrawn) The process of claim 17 wherein the pH of the acid beverage composition is from 3.6-3.8.

35. (Withdrawn) The process of claim 17 wherein within the blend, pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

36. (Withdrawn) The process of claim 17 wherein within the blend, homogenizing is carried out in two stages comprising a high pressure stage and a low pressure stage.

37. (Withdrawn) The process of claim 36 wherein the high pressure stage is from 1500-5000 pounds per square inch.

38. (Withdrawn) The process of claim 36 wherein the low pressure stage is from 300-1000 pounds per square inch.

39. (Withdrawn) A process for preparing an acid beverage composition, comprising;
forming a preblend (I) by mixing

(A) a hydrated protein stabilizing agent and

(B) at least one flavoring material comprising a fruit juice, a vegetable juice, citric acid, malic acid, tartaric acid, lactic acid, ascorbic acid, glucono delta lactone or phosphoric acid;
and

forming a preblend (II) by mixing

- (A) a hydrated protein stabilizing agent; and
 - (C) a slurry of an aqueous protein material wherein the slurry of the aqueous protein material is prepared by a process, comprising;
 - (1) preparing an aqueous extract from a protein containing material,
 - (2) adjusting the pH of the aqueous extract to a value of from about 4 to about 5 to precipitate the protein material,
 - (3) separating the precipitated protein material and forming a suspension of the precipitated protein material in water,
 - (4) adjusting the pH of the suspension to a value of from about 4.0 to about 6.0 to form a slurry of an aqueous protein material, and
 - (5) pasteurizing the slurry of the aqueous protein material; and
- mixing preblend (I) and preblend (II) to form a blend; and
pasteurizing and homogenizing the blend;
wherein the acid beverage composition has a pH of from 3.0 to 4.5.

40. (Withdrawn) The process of claim 39 wherein the protein stabilizing agent (A) comprises a hydrocolloid.

41. (Withdrawn) The process of claim 39 wherein the hydrocolloid comprises alginate, microcrystalline cellulose, jellan gum, tara gum, carrageenan, guar gum, locust bean gum, xanthan gum, cellulose gum and pectin.

42. (Withdrawn) The process of claim 39 wherein the protein stabilizing agent (A) is a high methoxyl pectin.

43. (Withdrawn) The process of claim 39, wherein within preblend (I), the weight ratio of (A):(B) is from 65-73:27-32.

44. (Withdrawn) The process of claim 39 wherein the pH of the protein stabilizing agent (A) is from 2.0-5.5.

45. (Withdrawn) The process of claim 39, wherein within preblend (II), the weight ratio of (A):(C) is from 25-35:65-75.

46. (Withdrawn) The process of claim 39 wherein within (C) the slurry has a solids content of from 5-20% by weight.

47. (Withdrawn) The process of claim 39 wherein within (C) the slurry has a solids content of from 8-18% by weight.

48. (Withdrawn) The process of claim 39 wherein within (C) the slurry has a solids content of from 10-15% by weight.

49. (Withdrawn) The process of claim 39 wherein the protein material (C) comprises a soybean protein material, casein, whey protein, wheat gluten or zein.

50. (Withdrawn) The process of claim 49 wherein the soybean protein material comprises a soy flour, soy concentrate or soy protein isolate.

51. (Withdrawn) The process of claim 50 wherein the soybean protein material comprises a soy protein isolate.

52. (Withdrawn) The process of claim 39 wherein within (C)(5), pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

53. (Withdrawn) The process of claim 39 wherein the protein material (C) comprises a hydrolyzed protein material or a non-hydrolyzed protein material.

54. (Withdrawn) The process of claim 53 wherein the protein material (C) comprises a hydrolyzed protein material.

55. (Withdrawn) The process of claim 39 wherein the weight ratio of preblend (I):preblend (II) is from 25-55:45-75.

56. (Withdrawn) The process of claim 39 wherein the pH of the acid beverage composition is from 3.2-4.0.

57. (Withdrawn) The process of claim 39 wherein the pH of the acid beverage composition is from 3.6-3.8.

58. (Withdrawn) The process of claim 39 wherein within the blend, pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

59. (Withdrawn) The process of claim 39 wherein within the blend, homogenizing is carried out in two stages comprising a high pressure stage and a low pressure stage.

60. (Withdrawn) The process of claim 59 wherein the high pressure stage is from 1500-5000 pounds per square inch.

61. (Withdrawn) The process of claim 59 wherein the low pressure stage is from 300-1000 pounds per square inch.

62. (Withdrawn) A process for preparing an acid beverage composition, comprising;
forming a preblend (III) by mixing

(A) a hydrated protein stabilizing agent and

(C¹) a slurry of an aqueous protein material wherein the slurry of the aqueous protein material is prepared by a process, comprising;

- (1) preparing an aqueous extract from a protein containing material,
 - (2) adjusting the pH of the aqueous extract to a value of from about 4 to about 5 to precipitate the protein material,
 - (3) separating the precipitated protein material and forming a suspension of the precipitated protein material in water,
 - (4) adjusting the pH of the suspension to a value of from about 4.0 to about 6.0 to form a slurry of an aqueous protein material; and mixing preblend (III) with
- (B) at least one flavoring material comprising a fruit juice, a vegetable juice, citric acid, malic acid, tartaric acid, lactic acid, ascorbic acid, glucono delta lactone or phosphoric acid; to form a blend; and pasteurizing and homogenizing the blend; wherein the acid beverage composition has a pH of from 3.0 to 4.5.

63. (Withdrawn) The process of claim 62 wherein the protein stabilizing agent (A) comprises a hydrocolloid.

64. (Withdrawn) The process of claim 62 wherein the hydrocolloid comprises alginate, microcrystalline cellulose, jellan gum, tara gum, carrageenan, guar gum, locust bean gum, xanthan gum, cellulose gum and pectin.

65. (Withdrawn) The process of claim 62 wherein the protein stabilizing agent (A) is a high methoxyl pectin.

66. (Withdrawn) The process of claim 62, wherein within preblend (III), the weight ratio of (A):(C¹) is from 45-70:30-55.

67. (Withdrawn) The process of claim 62 wherein the pH of the protein stabilizing agent (A) is from 2.0-5.5.

68. (Withdrawn) The process of claim 62, wherein the weight ratio of preblend (III):(B) is from 70-95:5-30.

69. (Withdrawn) The process of claim 62 wherein within (C) the slurry has a solids content of from 5-20% by weight.

70. (Withdrawn) The process of claim 62 wherein within (C) the slurry has a solids content of from 8-18% by weight.

71. (Withdrawn) The process of claim 62 wherein within (C) the slurry has a solids content of from 10-15% by weight.

72. (Withdrawn) The process of claim 62 wherein the protein material (C) comprises a soybean protein material, casein, whey protein, wheat gluten or zein.

73. (Withdrawn) The process of claim 72 wherein the soybean protein material comprises a soy flour, soy concentrate or soy protein isolate.

74. (Withdrawn) The process of claim 73 wherein the soybean protein material comprises a soy protein isolate.

75. (Withdrawn) The process of claim 62 wherein within (C)(5), pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

76. (Withdrawn) The process of claim 62 wherein the protein material (C) comprises a hydrolyzed protein material or a non-hydrolyzed protein material.

77. (Withdrawn) The process of claim 76 wherein the protein material (C) comprises a hydrolyzed protein material.

78. (Withdrawn) The process of claim 62 wherein the pH of the acid beverage composition is from 3.2-4.0.

79. (Withdrawn) The process of claim 62 wherein the pH of the acid beverage composition is from 3.6-3.8.

80. (Withdrawn) The process of claim 62 wherein within the blend, pasteurizing is carried out at a temperature of at least 180°F for at least 10 seconds.

81. (Withdrawn) The process of claim 62 wherein within the blend, homogenizing is carried out in two stages comprising a high pressure stage and a low pressure stage.

82. (Withdrawn) The process of claim 81 wherein the high pressure stage is from 1500-5000 pounds per square inch.

83. (Withdrawn) The process of claim 81 wherein the low pressure stage is from 300-1000 pounds per square inch.